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April 9, 2008

The Honorable Leonard P. Stark  
United States Magistrate Judge  
United States District Court  
For the District of Delaware  
844 North King Street  
Wilmington, DE 19801

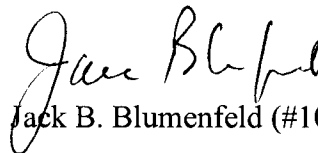
VIA ELECTRONIC FILING

Re: *Forest Laboratories, Inc. v. Cobalt Laboratories, Inc., et al.*  
Civil Action No. 08-021-GMS-LPS

Dear Judge Stark:

Orchid argued in its letter yesterday, that to support its personal jurisdiction motion, it needs discovery from Forest and Merz concerning the locations of their principal places of business. Orchid stated that “for patent infringement, the situs of the injury is deemed to be the location of the patent holder’s principal place of business (citing *Applied Biosystems, Inc. v. Cruachem, Ltd*, 772 F.Supp 1458, 1468 (D. Del. 1991), and *Foster Wheeler Energy Corp. v. Metallgesellschaft AG*, 1993 WL 669447 (D. Del. Jan 4, 1993)). After those decisions, however, the Federal Circuit specifically rejected the notion that the situs of the injury is the location of the patent holder’s principal place of business. *Beverly Hills Fan Co. v. Royal Sovereign Corp.*, 21 F.3d 1558, 1571 (Fed. Cir. 1994).

Respectfully,



Jack B. Blumenfeld (#1014)

JBB/cbh

cc: Clerk of the Court (Via Hand Delivery)  
All Counsel of Record (Via Electronic Mail)